

Customer No.: 31561  
Docket No.: 12792-US-PA  
Application No.: 10/709,488

### REMARKS

#### Present Status of Patent Application

Upon entry of the amendments in this response, claims 1-8 remain pending in the present application. More specifically, claims 1, 4, 6 and 8 are directly amended and for clearly defining the invention. In the present invention, the PWM signal comprises a positive PWM signal and a negative PWM signal. Both the amended independent claims 1 and 6 have added the technical feature "the PWM signal comprises a positive PWM signal and a negative PWM signal". It is believed that the foregoing amendments have no new matter to the present application.

#### Response To Claim Rejections Under 35 U.S.C. Section 102(b)

Claims 1-3, 6 and 7 have been rejected under 35 U.S.C. Section 102(b) as allegedly anticipated by Tanaka (US Patent No. 4,772,833). The Examiner acknowledges that the prior art on record does not show the PWM modulator including a latch, an absolute value calculator, a counter, a comparator and positive and negative PWM outputs.

The PWM signal comprises a positive PWM signal and a negative PWM signal in the present invention. The now pending claim 1 teaches "the PWM signal comprises a positive PWM signal and a negative PWM signal", which is not taught or suggested by the prior art.

Independent claim 1 is allowable for at least the reason that Tanaka neither teaches nor discloses the technical feature "the PWM signal comprises a positive PWM signal and a negative PWM signal" as highlighted in the above-referenced claim 1 of the

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present invention.

The amended independent claim 6 also recites the similar features. Thus, Tanaka does not anticipate claim 1 or claim 6, and the rejection should be withdrawn.

For at least the foregoing reasons, applicant respectfully submits that Tanaka does not teach each and every element in currently amended claims 1 and 6. Accordingly, independent claims 1 and 6 patently define over Tanaka, and should be allowed.

Due to the amended independent claim 1 and claim 6 are allowable over the prior art of record, dependent claims 2-5 and claims 7-8 are allowable as a matter of law, because these dependent claims contain all features of their independent claim 1 and claim 6 respectively. In re Fine, 837 F.2d 1071 (Fed. Cir. 1988).

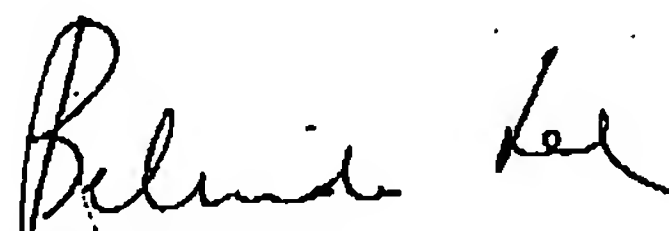
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**CONCLUSION**

In light of the foregoing amendments and for at least the reasons set forth above, Applicant respectfully submits that all objections and/or rejections have been traversed, rendered moot, and/or accommodated., and that the now pending claims 1-8 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (886) 2- 2369 2800.

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Respectfully submitted,

  
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